



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	HB0549	Title:	English proficiency to acquire driver license
Primary Sponsor:	Himmelberger, Dennis	Status:	Second Reading

- | | | |
|---|---|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$478,303	\$141,744	\$138,969	\$138,969
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$478,303)</u>	<u>(\$141,744)</u>	<u>(\$138,969)</u>	<u>(\$138,969)</u>

Description of Fiscal Impact:

Increased authorized FTE, personal services, and operating costs would be necessary to establish appropriate English proficiency testing, and record the country of citizenship on a driver's license. This bill requires that the country of citizenship if other than the United States be displayed on a driver's license issued by Montana which would require new software as well as Legacy and MERLIN configuration costs. This bill as amended appropriates \$200,000 from the general fund to the Department of Justice for the 2009 biennium.

FISCAL ANALYSIS

Assumptions:

Department of Justice – Motor Vehicle Division (MVD)

1. There is appropriated to the department \$200,000 from the general fund for the 2009 biennium for implementation of this legislation. This amount is less than the estimated cost of the proposed initiative.
2. This bill requires that the country of citizenship if other than the United States be displayed on a driver's license issued by Montana. Application processing procedures and programming will be required to collect and capture this data for applicants.

3. Additionally, this bill prohibits the issuance of a Montana driver's license to a person who fails an English proficiency test designed to determine that the applicant has the ability to read directional and safety road signs and to follow instructions of peace officers and emergency personnel.
4. An average of 250 – 300 written driver licensing tests and 5 to 10 oral examinations are administered annually, in Spanish, Russian, or Chinese.
5. No data is available to determine the number of persons applying for a Montana driver's license who are of a citizenship other than the United States. It may be assumed that less than three to five percent of persons applying for a driver's license in Montana are citizen's of another country or have no country of citizenship (such as, a refugee).
6. Administrative rules would be required to establish the criteria for the English proficiency tests and their application within the driver licensing process. Operating expenditures would increase \$750 in FY 2008 for this rule making process.
7. All applications for a Montana driver's license would be required to provide proof of citizenship (re-credentialing) during the eight year cycle following the effective date of this bill. Each new and renewal driver license process would be increased by three to five minutes to complete the re-credentialing plus an additional 20 – 30 minutes for the English proficiency testing. Additional staffing would be required to comply with the provisions of this bill for proof of citizenship and processing the English proficiency testing. Additional authorized FTE and personal services for License, Certification, and Permit Clerks would increase \$90,633 in FY 2008 for 3.00 FTE and \$120,844 annually thereafter for 4.00 FTE.
8. One-time operating costs for new employee office package and computer packages would be \$8,325 in FY 2008 and \$2,775 in FY 2009.
9. Operating costs for supplies, phone, and network communications would be \$13,959 in FY 2008 and \$18,125 annually thereafter for the additional FTE.
10. Costs to contract with experts in this proficiency testing area are estimated at \$18,500 in FY 2008 (\$15,000 for consulting fees and \$3,500 in travel) for the development of appropriate testing procedures as provided for within Section 3 of this bill.
11. Additional operating expenditures increases in FY 2008 would be approximately \$145,000 for system and card redesign and movement of the data elements by the vendor producing the driver's license to record the country of citizenship if other than the United States.

Department of Justice – Information Technology Services Division (ITSD)

12. Updating the Legacy system to handle the requirements of this bill will require two programmer analysts at 200 hours each: \$38,000 (one senior program analyst @ \$125/hour for 200 hours: $125 \times 200/\text{hours} = \$25,000$; one staff program analyst @ \$65/hour for 200 hours: $65 \times 200/\text{hours} = \$13,000$).
13. Computer mainframe charges to compile approximately 135 programs will be \$13,000.
14. New hardware and software for driver licensing kiosks will cost \$75,000.
15. A change order to 3M/Bearing Point to update MERLIN to handle the requirements of this bill will cost approximately \$75,136 for 501 hours which would include:
 - INS -require country to be selected when identification is INS, this would be the country of origin - This is considered configuration data
 - Include additional rules to License Management to handle exception so that the customer identification numbers are passport or INS and Legal Presence is INS temporary or INS Permanent and country of origin on these identifications is US, present an error.
 - Revise Preview to display Country of Origin
 - Configure License Requirement of English Proficiency test with waiver reasons
 - Proficiency test would be a recorded on Knowledge test tab and Pass or Fail would be required if not waived by user
 - Include additional rules to handle recording only pass or fail on the knowledge test tab and defensive code to make sure this does not fall into sanctioning logic that is triggered from this tab

- Update interface control document with card production vendor
- Update data exchanged to include country of origin

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
FTE	3.00	4.00	4.00	4.00
<u>Expenditures:</u>				
Personal Services	\$90,633	\$120,844	\$120,844	\$120,844
Operating Expenses	\$387,670	\$20,900	\$18,125	\$18,125
TOTAL Expenditures	<u>\$478,303</u>	<u>\$141,744</u>	<u>\$138,969</u>	<u>\$138,969</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$478,303	\$141,744	\$138,969	\$138,969
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$478,303)	(\$141,744)	(\$138,969)	(\$138,969)

Technical Notes:**DoJ - MVD**

1. In October 2008 when this bill is effective, all applicant's for a Montana driver's license would be required to provide proof of citizenship. Rule making would be required to establish the documentation required for a person to show proof of citizenship and it is not clear whether that documentation could or would need to be verified.
2. In any test given in a foreign language, all directional and safety road signs are formatted in English.
3. The current driver license format is at capacity. This would require a new comprehensive redesign of the existing eight different driver license formats.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date